

REMARKS

Requirement for Information The Examiner has inquired as to the origin of the "EVA" equation as set forth in the amendment to claim 22 as submitted by the paper filed August 23, 2007.

In the Declaration of Neal T. Heires enclosed with this paper (§ 4) it is made clear that although the particular form of expression of the equation was developed during the development of the present invention, the underlying concept of determining economic value-added based upon the difference between after-tax operating income and cost of capital derives from a source internal to E. I. du Pont de Nemours and Company, the assignee of the present invention. The Heires Declaration also indicates that the underlying concept of determining economic value-added was known to those skilled in the art from at least January-February 1995 (§ 11).

Supplemental Amendment The amendment to claim 21 cures a minor editorial error present in the transition of the claim.

Claim 22 has been amended to more particularly point out and more distinctly claim the subject matter of the present invention. In particular, Claim 22 now stands in two-part form in accordance with 37 C.F.R. § 1.75(e).

The claim has been amended to clarify the claim by removing the particular form of expression of the equation earlier inserted. Instead, the preamble now includes a recitation defining the underlying concept of economic value added (EVA) as the difference between after-tax operating income and cost of capital. By its inclusion in the preamble it is now explicitly clear that the underlying concept of economic value added is conventional and known.

Claim 22 is directed to a machine-readable storage medium containing instructions for causing a computing device to perform a method of calculation of economic value that is

created by a particular business activity within a diversified business. The particular business activity is defined by one or more specified parameters.

The claim expressly requires (step b) the selection of one or more of these parameters and then uses the underlying concept of economic value added by performing the calculations of steps c) through g) to determine the underlying economic value added by that selected particular business activity.

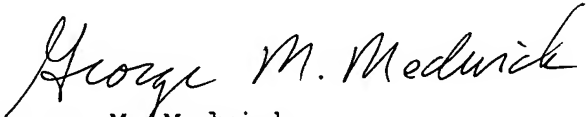
This extension of the underlying concept of EVA in the claimed method is believed to be unique, non-obvious, and has high business value in helping managers focus on the specific business activities that improve performance of the diversified business.

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In view of the foregoing all of the pending claims are believed to define patentable subject matter and that this application now stands in condition for allowance, which action is earnestly solicited.

Please charge any necessary fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,


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